

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ABETH HASHIMI,

Plaintiff,

-against-

BICU'S PLAYGROUND LLC and DANI PIZZA &
REST. CORP,

Defendants.
-----X

Case No.: 1:24-cv-1571 (EK) (RML)

**REPLY DECLARATION OF
EMANUEL KATAEV, ESQ. IN
FURTHER SUPPORT OF
MOTION TO DISMISS FOR
FAILURE TO PROSECUTE**

Emanuel Kataev, Esq. declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury,
that the following is true and correct:

1. I am admitted to practice before this Court and am a member of Sage Legal LLC,
who are the attorneys for the Defendants in this case.

2. As such, I am familiar with all the facts and circumstances heretofore had herein
based upon my personal knowledge and a review of the file maintained by this office.

3. On October 21, 2024, I conducted a search on www.pacer.gov, the federal court
website to obtain Public Access to Court Electronic Records ("PACER"), and searched for all
cases filed by Abeth Hashimi, the Plaintiff in this case, resulting in a listing of forty-seven (47)
cases. A true and accurate copy of the search results is annexed hereto as **Reply Exhibit "A."**

4. I respectfully request that this Court grant the relief requested in Defendants'
motion to dismiss for failure to prosecute pursuant to Rule 41 of the Federal Rules of Civil
Procedure.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
October 21, 2024.

/s/ Emanuel Kataev, Esq.
Emanuel Kataev, Esq.

VIA ECF

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VIA ECF

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